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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 UNITED STATES OF AMERICA,

CASE NO. CR F 03-5410 LJO

12 Plaintiff,

**ORDER ON DEFENDANT'S MOTION FOR
INSPECTION OF EVIDENCE HELD BY
GOVERNMENT**

13 vs.

14 VICTOR VEVEA,

15 Defendant.
16 _____/

17 This Court's December 17, 2007 order required the Government to respond to the instant motion
18 by noon on December 20, 2007. The Government responded timely.

19 In a prior pleading, defendant inquired what the Court referred to when it indicated that repeating
20 something incorrect does not make it true. The Court referred to this issue of inspection of evidence that
21 has been raised time after time by defendant. Specifically, the Court has concluded that defendant's
22 continued assertion that the Government will not make evidence available for inspection is nothing short
23 of game playing.

24 The Government has offered the evidence for inspection to defendant on countless occasions:
25 on the record in open court, in writing, and orally. It has become apparent that defendant has concluded
26 that somehow it will be to his long-term advantage not to inspect the evidence and to claim that the
27 Government is obstructive.

28 The motion is DENIED on the basis that such an order is not needed. What is needed is the

1 defendant's resolve either to view the available, offered evidence or to stop the inaccurate assertions that
2 it is unavailable to him.

3 IT IS SO ORDERED.

4 **Dated: December 21, 2007**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE